



U.S. Department of Justice

United States Attorney
Southern District of New York

United States District Courthouse

Application granted. The Order excluding time under the Speedy Trial Act shall be docketed separately.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 67.

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
January 10, 2022

BY ECF

The Honorable Philip M. Halpern
United States District Judge
Southern District of New York
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

Re: *United States v. Smith, S1 21 Cr. 574 (PMH)*

Dear Judge Halpern:

An arraignment and change of plea hearing for defendant Andrew K. Smith was adjourned in the above-captioned case to February 8, 2022, at 3:00 PM. *See* ECF No. 66. On November 24, 2021, a Superseding Information was filed in this matter. *See* ECF No. 58. Pursuant to the Court's January 6, 2022, Order, *see* ECF No. 66, the Government respectfully requests that the Court exclude time under the Speedy Trial Act through February 8, 2022, pursuant to 18 U.S.C. § 3161(h) because, in light of the adjourned arraignment and change of plea hearing, the interests of justice outweigh the public's and the defendant's interest in a speedy trial. Defense counsel consents to this request. A proposed Order is attached.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By: /s/ Steven J. Kochevar
Steven J. Kochevar
Assistant United States Attorney
(914) 993-1928

cc: Sean Maher, Esq. (by ECF)